Attv. Dkt. No. BOC919990065US1 PS Ref. No.: 1682.038103 (IBM4/990065US)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Filed: March 13, 2000 §

Ching et al. 0000000 Group Art Unit: 2426

Serial No.: 09/524.091 Examiner:

Fred H. Peng Confirmation No.: 6651

METHOD FOR PROVIDING TUNABLE PARAMETERS TO CONTROL

DISTRIBUTION IN A DIGITAL MEDIA DISTRIBUTOR

## CERTIFICATE OF MAILING OR TRANSMISSION

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 to the attention of Examiner Fred H. Peng, or electronically transmitted via EFS-Web, on the date shown below:

February 26, 2009 /Johnny Lam/

Date Johnny Lam

Dear Sir:

## **RESPONSE TO OFFICE ACTION DATED NOVEMBER 26. 2008**

In response to the Office Action dated November 26, 2008, having a shortened statutory period for response set to expire on February 26, 2009, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0460 / BOC919990065US1 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 9 of this paper.

Page 1 1025372 1